

**Minutes
State Board of Education
Monday, May 23, 2005**

The Arizona State Board of Education held its regular meeting at the Arizona Department of Education, 1535 West Jefferson, Phoenix, AZ 85007. The meeting was called to order at 9:08AM.

Members Present

Mr. Jesse Ary
Ms. Nadine Mathis Basha
Mr. JoAnne Hilde
Superintendent Tom Horne
Ms. Joanne Kramer
Ms. Anita Mendoza
Dr. Karen Nicodemus
Ms. Cecilia Owen
Dr. John Pedicone

Members Absent

Dr. Michael Crow
Dr. Matthew Diethelm

Pledge of Allegiance and moment of silence

1. APPROVAL OF MINUTES
 - A. April 21, 2005 – Study Session
 - B. April 25, 2005

Motion by Dr. Nicodemus and seconded by Dr. Pedicone to approve the minutes as submitted. *Motion passes.*

2. BUSINESS REPORTS
 - A. Vice President's Report

Ms. Hilde expressed appreciation to the 144 teachers and educators who worked on the standards setting committees for three days. Ms. Hilde, since representing the State Board on KAET's "Horizon" program, noted her concern about the mixed messages being given the public regarding the State Board of Education's (SBE) vote and the minority vote. Ms. Hilde stressed that the SBE has been relatively quiet on this issue but added that the SBE needs to plan media contact. Ms. Hilde asked members to give Mr. Yanez a schedule of their availability in their area(s) so the SBE can be proactive in explaining its "yes" vote. Ms. Hilde noted that her sense of what the SBE was voting on was for cut scores that adequately and appropriately marked the competencies and performance objectives that we believe the students of Arizona needed to meet. Mr. Yanez will move forward with planning and utilize members' voices in this way.

- B. Superintendent's Report

Mr. Horne

Superintendent Horne made the following observations:

- He has used every opportunity to explain the process of setting cut scores
- The Board was supporting the 144 people and respectful of the process
- His vote was reflective of concern for public reaction
- The Board vote reflected respect for the process
- On the Horizon program, Michael Grant attacked what was done
- 144 people worked hard for three days
- He has said the same thing on subsequent radio interviews
- Some press accounts have been condemnatory and critical
- The difference between his recommendation and the Board vote would have affected only 1500

students and the difference was not substantive

- His only concern was for public reaction
- Thanked Dr. Donna Lewis, Ms. Roberta Alley and the 144 educators and parents for their superb job

Superintendent Horne made the following announcements:

- The Department began the month with teacher and staff appreciation week with a “Spotlight on Success” banquet
- A comprehensive resource guide for school improvement was launched on the Department website
- A federal grant was awarded from the U.S. Department of Education for approximately \$1M over three years which will be awarded to local districts on a competitive basis to support middle and high school students in low income areas to enroll in advanced placement courses
- All educators and Board members are invited to attend the third annual Structured English Immersion Conference in Tucson, May 25-27, 2005
 - Educators will be able to earn 8 of the 15 clock hours for the provisional endorsement
 - The remaining 7 clock hours can be earned at the conference in August

Ms. Hilde congratulated Superintendent and Ms. Horne, who received the first State Golden Award in the education category, which is sponsored by the Arizona Interfaith movement, for kindness and generosity shown to so many individuals.

C. Board Member Reports

Dr. Pedicone:

- This has been an interesting time regarding the public comments being received about setting AIMS cut scores
- Those who were not present during the process don’t understand what went on
- Looks like we are dealing with a “Bell curve” scoring process used in a typical classroom, but this is rather a test of classroom proficiency that looks different from the Bell curve
- The State Board’s decision was made in consideration of the process but also to take the opportunity to do the right thing regarding crafting a test that has integrity and does what it is supposed to do in measuring standards
- Will talk with media in the Tucson area as well as editorial boards

Ms. Basha:

- Wonderful idea to become pro-active in clarifying the Board’s vote
 - In support of the 144 people, based on the cut score recommended by that group and not just the process
 - Through their scientific process they determined what was fair, reasonable, and attainable that matched the rigor in their classroom
- Can’t make decisions based on public response but rather what is in the best interest of children
- Show the public the reasons for the Board’s decision
- Will wholeheartedly support efforts to educate the public about this issue
- Regional editorial boards would be a wonderful way to get the word out
- Can’t allow this to become off-track or have discussions that say this test is inadequate

Ms. Kramer:

- Requested that all State Board members be notified of any media interviews that are scheduled in the future

Ms. Mendoza:

- Has some concern regarding the lack of understanding by parents
- Responsibility is back in the classroom where it belongs
- Many challenges before dealt with SAT9 and other tests that were not curriculum based
- This test is standards based and aligned with state standards
- Recommendations brought from the group were based on their expertise of their daily instruction and what is reasonable to expect
- Working with a very diverse groups of students
- Measures what could be reasonable and attainable and will encourage students to get better and better
- Would also like to be notified of future SBE member appearances in the media

Dr. Nicodemus:

- Very little response in her county regarding action taken by the State Board
- Had an opportunity to discuss action taken and has gained a much better understanding of AIMS and its purpose
- Still not a clear understanding of the intent of AIMS, what does it measure
- Opportune time to affect policy that will have a long-term affect
- Need to begin educating the public
- Will be able to have information placed in a large number of newspapers in southern Arizona

Ms. Owen:

- Mixed reviews from school districts and superintendents
- Has concerns about the large number of minority students in Coconino County still not doing well
- Welcomes more information about what is being measured
- Still concerned about the achievement gap
- Need to know more about criteria referenced test versus a norm-referenced test
- Supports the Standards and the efforts of the SBE and ADE to increase student achievement

Mr. Ary:

- Agree with much that has been said and was pleased and impressed with the process
- Had the opportunity to visit one of the sessions
- Commended those who took the time to deal with a very complex issue
- If we elevate our best, we elevate our least
- Need to find other creative ways to find and address the gap
- We have a very wide variety of student progress, achievement and resource capacity
 - Must admit and address these concerns
- Special Education students have been given some special consideration
- Rural and minority students who live in areas where resources are limited have to be given distinct consideration if we are going to identify this test as one that identifies how much we know rather than what we think we were able to answer on a test
- If a test is given to 10 people and 5 don't understand the test, there will be gaps in the answers
- We have a long way to go

- D. Director's Report, Including Discussion and Possible Legal Action
 - 1. Legislative Update

Mr. Yanez reported that HB 2249 was passed, which will exempt the Board from the rulemaking process, saving a considerable amount of time in developing and implementing rules. Mr. Yanez will

bring new rules packages to the Board after the effective date of this bill, which is August 2005. Mr. Yanez stated that the law requires the Board to develop policy standardizing the rulemaking process to include two opportunities for public comment as well as opportunities for notice. Next month a draft proposal will be presented to the Board for possible action in August.

Mr. Yanez also reported on the modification to the AIMS which states that pupils that fail to achieve a passing score may augment their scores based on class grades of C or higher. Mr. Yanez added that the detail work will be up to the SBE in a very tight timeline to get new rules adopted. Mr. Yanez reminded members that for this piece of legislation the Board is already exempt from rulemaking process. Mr. Yanez recommended that the Board convene a committee of stakeholders, including representation from the State Board that will recommend direction to the Board in this matter. He added that the rules must be developed by September 1 and that session law also requires the Board to initiate a study reviewing the academic competency standards and performance measures in ten other high performing states looking specifically at the math standards and how it compares to Arizona. This study is due by January 1, 2006. Mr. Yanez stressed that the work should begin immediately and once the report is completed a report will be forwarded to the President of the Senate and Speaker of the House.

Dr. Pedicone noted the very short timeframe and asked that meetings with stakeholders and legislators take place followed by a study session.

Mr. Yanez responded that he would be happy to arrange a study session including legislators as directed by the SBE president. Mr. Yanez added that it is highly likely that he will recommend that additional special sessions are needed between now and the September deadline.

Superintendent Horne noted that he has requested an opinion from the Attorney General regarding the meaning of the legislation. Sometimes subjective feelings of legislatures may be different from the law. One clarification needed is regarding the courses that could count as those required by the state for graduation, which could be interpreted the 16 specified units, and another interpretation could include the electives that count for the remaining credits to make up the 20 total credits. He added that they have begun putting together a stakeholders group to include principals, superintendents, teachers and SBE members short of a quorum and are open to include others as recommended.

Ms. Hilde stated that it is important that these two processes (the one referred to by Mr. Yanez and the one referred to by the Superintendent) need to be melded; don't need two groups working on the same project. Ms. Hilde encouraged members to let Mr. Yanez know if they are interested in serving in this capacity and asked the Superintendent to work with Mr. Yanez in putting this together. She added that it appears the work load will be heavy in June and July.

Ms. Owen asked for clarification of the agency people who may be asked to serve and Dr. Pedicone clarified that it should be someone who has authority to communicate what the legislature is trying to do, i.e. legislative research staff. Ms. Owen also asked if the Superintendent advisory groups include statewide representation as it is important to have representation from across the state.

Superintendent Horne responded that they do have statewide representation and the meetings usually coincide with other meetings in the Phoenix area so a special trip is not involved.

Dr. Pedicone noted that this is a charge to the State Board and that he is concerned that the Board understands the thoughts from the field. He asked for open meetings to be posted that include open discussion. He added that the Board's decisions could be enriched if they are able to listen at some of the stakeholders meetings.

Ms. Hilde asked Mr. Yanez to work in conjunction with the Superintendent so members are all on the same page and that Mr. Yanez set an appropriate timeframe for a study session.

Dr. Nicodemus stated that the last process was good on the part of the group but was also too short of a timeframe for SBE members to consider and make the decision. She asked Mr. Yanez to work back from the due date allowing sufficient time to understand the intent of the legislators, the legal opinion of the new law and to make sure all members are comfortable with decisions being made.

Ms. Mendoza added that the process was well attended and well carried out but that there was not always representation in the decision making process regarding the kids we are worried about. Ms. Mendoza urged that teachers or perhaps people from the business world who could represent these students be included in the session.

Mr. Ary asked what the timeline is for a response to the Department and Ms. Jennifer Pollock, Assistant Attorney General, stated that the Attorney General's Office has already started the process and should have an informal opinion as soon as possible.

2. Other Items as Necessary

3. CONSENT ITEMS

- A. Consideration to Approve Contract Abstracts
- B. Consideration to Approve Contract Modification with Voyager Expanded Learning, Inc.
- C. Consideration to Accept the Recommendations of the Professional Practices Advisory Committee and Approve Certification for the Following Individuals:
 - 1. Joseph Bledsoe, Case #C-2004-191R
 - 2. Ronald Dominguez, Case #C-2005-024R
- D. Consideration To Approve Proposals for Training Programs Relating to Provisional Structured English Immersion Endorsements
- E. Consideration to Approve Proposals for Training Programs Relating to Full Structured English Immersion Endorsements
- F. Consideration to Approve Nominations to the Career and Technical Education Advisory Committee.
- G. Consideration to Approve Joseph City Unified School District and Sedona-Oak Creek Joint Unified District for Participation in the Optional Performance Incentive Program and Budget for Fiscal Year 2005 -2006

Ms. Owen abstained from participating in Agenda Items 3A, 3 & 4 due to a conflict with the Arts Initiative and adult education as her office participates in and receives funds from both of these.

Dr. Nicodemus abstained on Items 3A, 4 and 5 due to the community college involvement.

Motion to approve the Consent Agenda by Ms. Basha and seconded by Ms. Kramer. *Motion passes* with the above noted abstentions.

4. CALL TO THE PUBLIC

Ms. Sharon Collins, Associate Superintendent Greater Arizona, addressed the Board on behalf of Superintendent Horne stating that he has great respect for the SBE and understood the difficult process the Board went through regarding the AIMS cut scores. Ms. Collins stated that she supports the idea of getting the word out to the public adding that the phone calls she received indicated the parents did not understand the process or the Bell curve concept.

5. GENERAL SESSION

- A. Presentation, Discussion and Consideration to Approve of Request to Assume Accounting Responsibility, Pursuant to A.R.S. 15-914.01, for the Pendergast Elementary School District

Mr. Paul Carolan, Auditor, School Finance, Arizona Department of Education, presented background information as provided in the materials packet, stating that Pendergast has gone through the process approved by the Auditor General and the plan meets the statutory requirements. When asked, Mr. Carolan noted that the advantage to the district is to avoid County Superintendent of Schools reporting requirements.

Ms. Hilde asked where the check and balance is within the district without the oversight from the County superintendent of Schools. Mr. Carolan responded that the district must contract with an

independent Certified Public Accountant for an annual financial and compliance audit and the Auditor General's Office may reevaluate the district annually.

Ms. Owen asked who will be reconciling cash to the treasurer's office, what the infrastructure is in the district, and about the turnover rate in the financial office. Ms. Owen added that usually small districts get in trouble when there is turnover in an office with a limited number of staff.

Mr. Carolan responded that to qualify the district has to have 4000 students and staff to perform the necessary jobs. He added that the district feels confident it has the staff to do the job and that his sole charge was to look at the plan itself and determine whether the plan meets statutory requirements.

Mr. Brian Mee, Assistant Superintendent for Business Services, Pendergast ESD, addressed the Board noting Pendergast's long history of working well with the Maricopa County Superintendent. Mr. Mee noted the following factors:

- The district decided to become independent in software a few years ago where they send information for payment of checks/ vouchers, etc.
- The next step for the district was to change software systems, looking at how well it would perform in getting checks/payments in a timely manner
- Pendergast has an excellent staff, the majority of them are tenured, having been there 10+ years
- There are over 10,000 students and very adequate staff
- No need to add staff to implement the accounting responsibility plan
- Will add a high speed printer and two safes

Motion by Dr. Nicodemus to approve Pendergast Elementary School District's request to assume accounting responsibility beginning with Fiscal Year 05-06. Seconded by Dr. Pedicone. *Motion passes.*

Mr. Carolan volunteered to report any additional information in future reports that the Board may request.

Dr. Pedicone noted that it would be helpful to know how many districts in Arizona have moved over to this system and also general information about how this system works.

B. Presentation and Discussion Regarding Proposed Changes to the School Evaluation System Under No Child Left Behind

Dr. Robert Franciosi, Deputy Associate Superintendent, Research and Evaluation Section, Arizona Department of Education, presented the state's second system for evaluating schools, required by the federal law NCLB's Adequate Yearly Progress (AYP) evaluation. These evaluations come out in the beginning of September and are linked to the AZ LEARNS performing/underperforming evaluations that come out in August. Dr. Franciosi presented via PowerPoint which is included in the materials packet.

Dr. Franciosi noted that the law is strict regarding testing 95% of students including special education students. An alternate test can be used and up to 1% of the total student population can avail themselves of this. This month it is up to 3% of the total student population that can now use the alternate test. Dr. Franciosi added that the state will be penalized if it deviates from this requirement.

Superintendent Horne added that AIMS-A was designed for students who read at the 1st grade or Kindergarten level, AIMS-A Level II was for students reading at the 3rd grade level and by next year AIMS-A Level III is expected for students that read at the 5th grade level. He added that last year there still were students who couldn't understand the test and didn't answer some questions, which resulted in the testing company not counting them as having taken the test at all. As a result, some schools were not reported as having tested 95% of their students as required. He noted that the testing company will now count the student present.

Dr. Franciosi noted that all special education students must be tested as required by NCLB and the writing test is required by the state. It was noted that NCLB and AZ LEARNS haven't aligned very well and the goal was to move to AIMS as the test of choice. Mr. Horne noted that the main change is the

recommendation that AIMS be used for measuring academic progress; with AIMS at every grade level, it could be the measure for AZ LEARNS and NCLB.

Ms. Mendoza asked if the SBE has the ability to make decisions on alternate assessments or the opportunity to look at alternate assessments for special education students other than AIMS A, B, or C? Also, if the SBE can recommend adopting that standardized test as the measure of academic achievement.

Ms. Hilde noted that this will be a forthcoming discussion with the Assistant Attorney General.

Dr. Nicodemus asked if it was fair to state that Arizona has expanded beyond the NCLB requirements, which are for reading and math, by adding the writing component in AIMS.

Dr. Franciosi responded that it is fair to say that Arizona had the requirement first and NCLB subsequently added writing to be expanded to the other grades. He also clarified that science is a required test in both arenas, but social studies is a state requirement. Superintendent Horne added that if the legislature is willing to fund social studies testing it would come to the SBE for approval.

Dr. Franciosi noted that the science test is required to roll out in 2008.

Dr. Pedicone noted that NCLB will ask for a single administration of the science test and asked for future discussions regarding balancing testing processes required of schools, what the SBE controls, and the amount of testing imposed on schools.

Dr. Franciosi stated that to date, the feds have been adamant in not allowing compensation of low performance in one area with high performance in another area. Many schools do not make AYP because of 1 or 2 students. AZ LEARNS allows low performance in one area to be offset by a higher performance in another area.

Superintendent Horne stated that Arizona has its own AZ LEARNS system, but NCLB imposes standards that are unfair. If given a less stringent standard the state wants to utilize that as well.

Ms. Hilde asked what the consequences are for not making AYP. Ms. Nancy Konitzer, Deputy Associate Superintendent, Academic Achievement Division, Title I, Arizona Department of Education, responded that this is a Title I requirement in NCLB. She noted that consequences for a Title I school not making AYP are: warning the 1st year; 2nd year designated as needing improvement; then possibly write a School Improvement Plan and/or offer transportation for choice. If they do not make AYP a 2nd year they may be required to offer supplemental services; then continued escalation. The next year the school would be doing considerable restructuring parallel to the failing school requirements. Schools must meet AYP for two years in a row to be removed from this classification.

- C. Presentation and Discussion Regarding the Board's Legal Authority to Develop Alternative Competency Assessments For the Graduation of Pupils from High School. Pursuant to A.R.S. §38-431.03 (A) (3) the Board May Vote to Go into Executive Session for Consultation and Legal Advice

Motion by Ms. Basha to go into Executive Session and seconded by Ms. Kramer. *Motion passes.*

State Board went into Executive Session at 10:50AM and Reconvened at 11:20AM.

Motion by Ms. Basha that the memorandum given to members by Ms. Jennifer Pollock, Assistant Attorney General, dated May 19, 2005 be made public and that the State Board waive its Attorney/Client privilege. Seconded by Ms. Owen. *Motion passes.*

Ms. Hilde recapped that the issue was around the State Board's ability to provide and begin the alternatives to the AIMS process. She noted that Ms. Pollock gave an overview in view of recent legislation.

Ms. Pollock stated that this was an informal opinion from her strictly to the State Board of Education and not a formal opinion from the Attorney General's Office and noted the following:

- Up until this last legislative session, statute gave the Board the ability to adopt competency tests for reading, writing and math for which the Board established passing scores

- The only rule that adopted AIMS as a competency test was Board Rule R7-2-302 and no statute had established AIMS as a competency test
- Prior to the last legislative session, the Board could have adopted alternative competency assessments simply by changing Board rule
- Two pieces of legislation have changed that analysis
 - Senate Bill 1038 establishes the legislators' alternative for the competency test established by the State Board
 - Grade enhancement based on coursework requirement and receiving credits for courses that will enhance the scores of the competency tests adopted by the Board
 - The alternative to the existing competency test is the alternative established by this statute
 - Session law also requires the Board to take other action related to AIMS if AIMS is named
 - Senate Bill 1352, exemption for special education, identifies in one area that AIMS is the high school graduation test
- The Board's ability to adopt alternative assessments has become limited by legislation now identifying AIMS as the high school graduation test

Ms. Pollock advised that the Board still has the ability to adopt assessments under A.R.S. § 15-701.01 (A)(3) however, to do so they must first achieve legislative amendments that clarify their ability to do so, specifically to A.R.S. § 15-763 which identifies AIMS as the test from which special education students are exempt as well as A.R. S. § 15-701.01 and 701.02 related to the alternative established by the legislature. Ms. Pollock added that if the Board is successful in achieving those legislative amendments it can change its rules and adopt alternative assessments.

D. Presentation and Discussion Regarding a Thirty-Day Review and Status Report of the Renewal of the AIMS Intervention and Dropout Prevention Program.

Ms. Cecilia Owen removed herself from this discussion due to a conflict declared at the April 25, 2005 State Board meeting.

Dr. Karen Butterfield, Deputy Associate Superintendent, Academic Achievement, Arizona Department of Education, presented the background information as provided in the materials packet. Dr. Butterfield noted that ADE is monitoring this program, strengthening communication and dissemination to schools and closely monitoring how graduation rates are improving and whether drop-out rates are lowering.

Mr. Ary stated that he would like to participate in some action-oriented activities in this issue.

Dr. Butterfield noted that the Center for the Future of Arizona has included the ADE in discussions focusing on graduation rates and the drop-out prevention conference was a success where various entities show-cased their success in this area.

Ms. Basha inquired about the success rate based on the audit and Dr. Butterfield responded that they are all struggling in getting data but are being successful. She noted that it is difficult to retrieve AIMS results data. JAG has been the most successful in terms of meeting all other criteria of the grant with instruction on the workplace skills, civic and leadership responsibility development, providing internship opportunities and tracking students and graduates. She added that some need to be working with ADE and adjoining school districts to retrieve AIMS data and provide professional development in order to provide the best interventions possible. She noted that students did not take the test seriously or were poor test takers, which in her opinion are not allowable excuses. Ms. Maxine Daly, Coordinator, Academic Achievement Division, Arizona Department of Education, is closely monitoring and reminding schools of the required data to be reported.

Ms. Basha commented that there are limited resources and we are up against a timeframe in getting support to students. Dr. Butterfield responded that they are working on streamlining the process and will provide copies of the audit report for members.

Dr. Pedicone asked what the number of students and requirements on hours/months of services and Ms. Daly responded that Mesa uses the funds for their on-track program in several high schools and junior high schools that have grade 9 based on 9 months of service.

Dr. Nicodemus noted a drop-off in contact hours related to AIMS for JAG and Dr. Butterfield responded that their focus is on grades 9 and 10 and hopefully seniors don't need as much help as they approach graduation.

Ms. Kramer asked what kinds of services are provided for other districts outside the Phoenix metro area and Dr. Butterfield responded that Ms. Daly has been visiting various drop-out prevention sites and is in the process of identifying the needs and responding to requests, focusing on the 11 effective strategies. In addition, she is sharing the work of these grantees at conferences and meetings.

E. Presentation and Discussion Regarding the Criteria for Certifying Alternative Tutoring Providers Funded Through AZ LEARNS "Failing Schools Tutoring Fund"

Ms. Nancy Konitzer, Deputy Associate Superintendent, Academic Achievement Division, Arizona Department of Education, presented background information as provided in the materials packet, noting that this is pursuant to A.R.S. §15-241 (Q) which is a result of Prop 301 moneys. Ms. Konitzer outlined the following:

- When first passed it referred specifically to failing schools under AZ LEARNS
- At that time we did not have any failing schools so the money continues to build
- Last year was the first opportunity to identify failing schools so those schools have an opportunity to access the money
- The Superintendent was successful in asking the legislature to include underperforming schools with this group of schools
- Parents of students in these schools can apply for this assistance
- Tutoring can be provided by the district or an alternative program provider
- Title I funds must be allocated to schools in school improvement status for supplemental services to students
- RFP is provided in materials packet and includes scope of work for districts, schools and parents, plus the application form
- Applications will be reviewed after the end of this week and a list will be brought to the State Board for approval next month
- Due to a change in legislation, funds are also available to high school students for tutoring under this program who did not pass AIMS
- Providers must agree to refund moneys to the state for students who do not make progress in their program
- There is a considerable amount of money remaining in this program for more opportunities to students who wish to take advantage of this program
- The SBE is charged to look at the alternative providers for Arizona failing schools fund and make the approval of the same criteria for those providers

Ms. Konitzer added that federal law does not require certified teachers as providers but some requirements in the RFP ask for criteria used in choosing tutors, which may include their plan of support for the students, etc. She added that there are no results available as yet since the program runs through June.

Ms. Owen asked how a tutoring program is reviewed and Ms. Konitzer noted that the RFP lists the programs where the provider must submit lesson plans and staff qualifications and then they are

evaluated via the rubric. Ms. Konitzer noted again that there is not evidence to date regarding the effectiveness of the program as it won't be completed until June.

Ms. Owen wondered how provider responsibilities are monitored and Ms. Konitzer responded that this is a nation-wide issue because in Title I the state and the district have joint responsibilities in monitoring. She added that they do not have a specific evaluation tool in place but there is a federal requirement for data reporting after two years but Arizona hasn't completed two years of services to date. She added that they are asking for enough evidence to assure that they understand the requirements plus parent surveys, on-site visits and technical assistance for districts will also be done.

Ms. Owen asked if it is allowable for a school district to submit a plan to put a tutor inside a classroom under the supervision of a classroom teacher because she doesn't want to spend a year or two "testing" a program that involves such a large amount of money.

Ms. Konitzer responded that they need to come up with a definition of what is appropriate for tutoring then find the resources/services. She noted that this should be discussed further before a plan is put forth in the fall. Ms. Konitzer also noted that further advice/discussion from families and/or districts is needed in order to get funds directed to the students that need them. Mr. Ary suggested that the \$10M for tutoring could be used for students. Ms. Konitzer responded that eligibility for this program is the lowest achieving and the lowest income; however, participation has been limited as parents need to be aware of the availability of these services. In addition, this is an after-school program and requires more paperwork by the parent than some other programs. She added that a high level of media information has been made available to make parents aware of the available funds for tutoring.

Ms. Mendoza noted that we know who the kids are, but the parents don't sign up and/or the students don't attend. She added that we are still not getting to the kids that need the help the most and cited the immense paperwork being requested in the RFP. She suggested that we are not looking at innovative programs that kids would take advantage of.

Superintendent Horne asked members to speak with Ms. Garcia Dugan to give input regarding the tutoring program. He noted that the participation rate has been very low and the AIMS tutoring fund was hurt by the anticipation that legislation may create an alternative plan. He stated the Department will continue to communicate that this program is still available.

Dr. Nicodemus observed that ADE's hands are tied by legislation but as AIMS is a motivator, there is a need to raise expectations of parents. She asked how much is spent on yearly testing or whether there is a way to re-structure instruction in the classroom and whether the SBE could institute a structural change?

Ms. Owen noted that we need a plan that will make this an integral part of education, going straight to those students in need.

Ms. Basha clarified that the Board will be asked next month to approve a list of providers without audit information and asked whether the approval could be postponed until the data is available. She noted that the Board needs to see a track record and as much background information as possible before a decision is made. Ms. Konitzer responded that the current providers have to re-apply and re-assure the Department that they have met the criteria but none of the criteria in the RFP have anything to do with the previous performances. Mr. Yanez noted that all information possible will be provided to members before a decision is to be made.

In response to further discussion, Ms. Konitzer stated:

- This is a federal piece for any student in any school
- Schools/districts can set aside up to 20% of federal money for supplemental services such as choice transportation or supplemental services
- If there is no demand for transportation, then up to 20% can be spent for supplemental services
- Internet tutoring has to meet the requirements regarding providing supervision, child-specific educational needs and gathering information, etc., even if delivered through a computer

- The Department requires a list of services to be given and how it is going to take place

Ms. Hilde noted the need for some instruction that is face-to-face and Superintendent Horne responded that it was made clear to some internet providers that they would not be compensated on an hourly basis for pre-packaged programs but that instruction delivered via the computer had to be individualized instruction and reimbursement would be made based on this criteria.

Ms. Mendoza commented that we only have control over the kids when they are in school as many parents don't read letters that come home from school. She wondered if supplemental services could be done in small instructional groups (not called tutoring) so the practice could be redefined to where we have control over it in the classroom.

Ms. Konitzer cited the following issues with this proposal:

- The federal program and the term "supplemental services"
 - The law actually requires these services to be provided by outside providers and outside the regular school day
- The regular Title I program schools could organize these types of activities under the Title I funding

Dr. Pedicone brought up the following points:

- Everything we hear about his program is that it is not working
- What is the next step
- Are we going to continue to hammer out the same programs
- We need to think about asking those who are having trouble
- Need to look at the long-range solution

Ms. Konitzer responded that they want to look at the way the law is now written, have further discussions and invite those people suggested. She added that this is not money that is subject to the whims of the legislature and that services need to be provided for kids.

Dr. Pedicone asked for updates along the way to see if assistance can be given at the policy level.

Mr. Michael Smith, representing Arizona School Administrators, stated that the broader issue reflects the issues being discussed today. He urged the SBE and ADE to take a different approach and stop trying to fit into the failed schools tutoring fund, the AIMS intervention fund from Prop 301, Title I monies and get to the issue of AIMS and how to remediate those kids who are not achieving. Mr. Smith strongly encouraged the SBE to develop an AIMS timeline and make all the pieces fit.

Superintendent Horne responded that the Department's Plan will create a written document listing all the recommendations for SBE members.

The Board broke for lunch at 12:40PM and re-convened at 1:20PM.

- F. Presentation, Discussion and Possible Approval of Future AIMS Tutoring Services. This May Include, but is Not Limited to, Implementation Strategies and Subcommittee Appointments

Ms. Nancy Konitzer, Deputy Associate Superintendent, Academic Achievement Division, Arizona Department of Education, outlined the personalized learning as per attached provided document. She noted that potentially there was another source of funding that currently is not finalized. Therefore, the money for this program will include money from A.R.S. § 15-241 (Q) and potentially dollars from another source. Ms. Konitzer explained that originally that money was attached to the original mark-up of the *Flores* bill but in the final version vetoed by the Governor last week, it was not in there. Therefore, the money is in the budget but has not statute attached to it. In the meantime, she added that the \$10M secured by the Superintendent is being used and invoices totaling \$680,000 have been received to date.

Ms. Konitzer explained that approximately \$2.1M can be used for the program outlined in the materials packet, which is part of the contract with CTB McGraw-Hill to provide study guides requested by high school students, which will be individualized to each student.

Superintendent Horne noted that the Department has requested the Attorney General's permission to expend these moneys and the SBE will have the opportunity to approve this if the permission is granted. Ms. Tesha Pryor, Grow Network, a Division of CTB McGraw-Hill which focuses solely on reporting assessment results to parents, educators and students. Ms. Pryor noted that this may be the opportunity to get to students directly. She noted that this Study Guide is the first of its kind and provides the student's assessment results and links those results with the instructional content.

Ms. Pryor highlighted the information provided in the study guides which includes an overview of test results, an understanding of their test results by objective, a walk-through of content and where they performed strongest, and then goes on to show areas that need improvement. The sample provided is used in Texas but Arizona's would be customized to Arizona's needs and extended to include 9th and 10th graders. She added that they are also proposing a web site that provides new study guides, companion guides to tutors/teachers and links to other resources.

Superintendent Horne added that the middle section shows individual instruction for students.

Ms. Pryor noted that the first year will focus on English language arts, writing and mathematics then others will be added as more tests come in. Superintendent Horne stated that he thought the cost involved would warrant limiting to the high school grades and with the new standards setting for the 8th grade we will no longer see the low test scores. Ms. Pryor added that this proposal focuses on 10th and 11th graders and more detail as to cost will be gathered before the June presentation but is now for the current sophomores and juniors.

Ms. Pryor clarified that teachers would get a companion guide and also be a part of professional development sessions held across the state that will be organized in a way that makes sense.

Dr. Pedicone asked what information would be on the individual student's guide noting that teachers would also need each student's data. Ms. Pryor clarified that teachers automatically get a summary report on each student's results plus professional development geared to teaching them how to use the guide in working with each student and as part of classroom instruction.

Ms. Owen asked about the history of the use of this guide in Texas and Ms. Pryor explained that it will have been in use one year in August for 11th graders and as of this fall will be providing guides to the 9th and 10th graders. She added that 72% passed last year at February last year and this year 85% are passing the test at that grade level. Mr. Pryor stated that Texas Commissioner Neeley has attributed part of this increased success rate to the fact that students had access to the guide that gave them clarity on how they were doing as well as the additional supporting services to help them use that information. Ms. Pryor also noted that Texas has a different method of test taking but clarity about expectations is key information so the student knows what is expected of them and they have a resource linking to instructional content.

Mr. Ary stated that given a contract between the school district and parent and student, stronger wording could be utilized other than "encouraging" students to participate. We know which students need assistance and we have a good idea of the course content they are deficient in, so stronger language could be built in rather than just saying that we "encourage" them.

Ms. Pryor responded that this information should automatically be furnished for all sophomore and junior students who fail AIMS. In addition, communication and translations should be provided for parents so they are aware of all resources available. She added that parent communications and workshops are provided to draw parents in where they will be encouraged to use the guides with their children. Ms. Pryor added that they can work with Arizona to get the students into the program and that they have had some success in other states in making this happen.

Dr. Nicodemus noted that Texas has made other investments in this direction but that this is one of the steps and could be one piece of the puzzle that Arizona can consider. It was noted that Texas has spent up to \$38M in this effort.

Ms. Pryor assured members that Arizona's students would have a clear understanding of what is required to pass AIMS. However, Superintendent Horne clarified that this teaches the standards but not the test since the tests are not revealed.

Dr. Pedicone asked that of the \$2.1M, what represents the cost to assist each student and requested a breakdown on the price quoted.

Ms. Pryor noted that custom design requires the most time but that they can create the study guide from received data in about 3 weeks. She stated that they merge data with content and then have them printed and delivered. She added that they will have started the process beforehand of creating the content and making the custom design.

Ms. Hilde stated that an answer regarding the timeframe is needed before a decision can be made in June to know which grade level will be affected. She added that more than one-year's commitment should be made so it is long enough to measure its effectiveness.

Superintendent Horne noted that there is \$10M in next year's budget for tutoring so if the Attorney General gives approval to pay for this year's tutoring out of this year's tutoring funds, then next year's tutoring can be paid for out of next year's tutoring funds.

Ms. Mendoza asked if there is a way to use something like this as a requirement to use the tutoring packet as part of their accountability to the Department if they utilize tutoring funds.

Ms. Owen asked if we are just trying something since we don't have the luxury of trying if we aren't sure it is going to work and that we should be developing a comprehensive plan.

Superintendent Horne noted that the money has to be spent by June 30.

Dr. Pedicone stated that he likes this plan but agrees with Ms. Owen. He added that while AIMS is a snapshot we haven't answered the question as to what we are going to do for kids and in the absence of a plan, this approach looks alluring and at least targets the student.

Mr. Ary stated that this seems like a fresh idea but cautioned that it is not a quick fix. He noted his concerns as to the delivery through local school districts and if it is not presented to local school district boards we will not get assurance that parents will buy into it.

Ms. Hilde noted that we have heard concerns and praise and suggested that the SBE get thorough information in plenty of time for consideration prior to the next board meeting.

G. Presentation, Discussion and Consideration to Approve The Renewal of the Harcourt Contract Allowing for Formal Contract Amendments.

Ms. Irene Moreno, Deputy Associate Superintendent, Academic Achievement Division, English Acquisition Services Unit, Arizona Department of Education presented the background information as provided in the materials packet.

Ms. Mendoza asked if there would be training available this summer for "rapid reports", and Ms. Moreno responded that there will be an augmentation on pre-literacy and possibly eight sessions will be scheduled for this summer.

Motion to approve the renewal of the Harcourt Contract allowing for formal contract amendments. Seconded by Ms. Kramer. *Motion passes.*

H. Presentation, Discussion and Consideration to Approve Proposed Revisions to the Arizona Early Childhood Education Standards

Ms. Karen Woodhouse, Deputy Associate Superintendent, Early Childhood Education, Arizona Department of Education, presented the background information as provided in the materials packet. She stated that the standards are a framework that will provide information for parents about what children will be able to know and do in preschool years. She noted that the use of early learning

standards is a new practice throughout the nation and that professional development will be done in this area that will include planning learning activities and aligning assessment using the standards as the core. She noted that several different delivery methods are being planned to include rural, metropolitan, private, faith-based and programs administered by the Department. She added that the professional development aspect to be critical in release of the standards and they will be more intentional about the delivery of professional development regarding the use of standards and how they are aligned to the curriculum and assessment. She noted that the use of the standards will be embedded in higher education institutions' coursework. Ms. Woodhouse stated that they are confident that this is a good first step and that they feel good about the process and product to this point.

Ms. Owen stated that she shared the notebook with a group in Flagstaff who were impressed and that she appreciated having it a month in advance.

Dr. Nicodemus asked what the criteria is to be an early childhood teacher and Ms. Woodhouse responded that currently there are no requirements statewide for early childhood teachers but that many districts have set their own policies but the only certification available currently is either elementary or special education. However, Ms. Woodhouse added that the Board recently approved the rule language that implements a new early childhood teacher certification and endorsement which will be required in our public school programs by July 1, 2009 for any program that services children birth through kindergarten. Ms. Woodhouse added that it is recommended in grades 1-3 but the certificate covers birth through age 8 or grade 3 but will only be required as stated above.

Dr. Pedicone noted that this is as a result of the work led by Ms. Basha and the state readiness board and also serves as a model of collaboration and communication to accomplish the outcome.

Ms. Basha complimented the project and product collaborated between several organizations including the School Readiness Board and the Department.

Ms. Hilde asked if the social studies strands reflect the changes that are occurring in the K-3 social studies strands in terms of the language changes that are taking place. Ms. Woodhouse stated that they worked very closely with the social studies experts at the Department and that these standards open the door to understand a person's role in a civic environment. Ms. Woodhouse assured the Board that this question will be taken back to the developers to make sure further changes in articulation will be included.

Ms. Hilde noted that she had received contact from the university setting and they were concerned about their ability to have certified teachers that their student teachers can practice under particularly in high poverty and reservation areas. Ms. Hilde suggested that we may have to look at some things outside the box to make sure students can student teach under those teachers who have the ability to deliver.

Ms. Woodhouse stated she has initiated a discussion with the Department regarding possible options because as this pipeline is built at the initial stages it will be difficult to identify teachers with that certification.

Ms. Basha noted that when Basha's markets were launched in reservation areas, the supervisors were Navajo who initially lived with Basha members in the Valley to receive training.

Motion by Ms. Basha to approve the proposed revisions to the Arizona Early Childhood Education Standards. Seconded by Ms. Mendoza *Motion passes.*

I. Presentation and Discussion Regarding Arizona Program Standards for Beginning Teacher Induction

Ms. Jan Amator, Deputy Associate Superintendent for Highly Qualified Professionals, Arizona Department of Education, presented information via PowerPoint presentation provided in the materials in packet. The presentation included the 8 Program Standards as listed and a recommendation that the State Board consider adopting these standards into Board rule.

Mr. Yanez stated that this document could be adopted as State Board policy due to its language, but if the State Board decides to adopt this as rule, school districts would be obligated to comply to Board rule or policy.

Dr. Nicodemus asked if this was a requirement how would small schools do this and Ms. Amator responded that they could utilize their county school superintendent's office or via technology and/or consortium techniques.

Ms. Pollock noted that should this be adopted as rule by the Board it is generally a prescription to the district and could include consequences within the rule.

Dr. Pedicone asked whether the Board was going to say all districts have to do this if a district doesn't have this program.

Ms. Amator responded that they wanted these standards in place to serve as a model for those districts that wanted to develop an induction program and should there be legislation and funding for a statewide induction program, then the standards would already be in place.

Dr. Pedicone noted this is much different than a mandated policy.

Ms. Mendoza stated that many have already initiated their own program and it would be limiting to make a rule or policy for enforcement but that it would be good to have standards as a guideline.

Superintendent Horne stated that some positive comments were received from some appropriations committees and that this will be a high priority next year.

Mr. Ary asked if ASBA participated in these discussions.

Ms. Kathleen Wiebke, Interim Executive Director, Arizona K-12 Center, stated that when the committee was designed by the Certification Task Force input was mainly from higher education and they have sought to bring more participation from the field. She added that the committee's thought was that it was going out to teachers to be changed where necessary.

Ms. Owen stated that she loved the idea of using this as a model and that several professional development programs (content literacy, science, math) now have comprehensive guidelines. She added that it is easy to embed the focus of intent in a mentoring framework, that it saves time and develops capacity inside districts.

Ms. Wiebke noted that they appreciated the Superintendent's leadership in moving legislation forward and that they are poised to bring a stronger package next year and that it is the intent that charter, small, and/or rural schools could do this through various ways.

J. Presentation, Discussion and Consideration to Re-approve Fiscal Year 2005 Career Ladder Funding for the Following Districts:

Creighton School District
East Valley Institute of Technology
Safford School District

Ms. Jan Amator, Deputy Associate Superintendent for Highly Qualified Professionals, Arizona Department of Education, presented the background information per materials provided in the packet.

Motion by Dr. Pedicone to approve fiscal year 2005 Career Ladder funding for the following districts:

Creighton School District
East Valley Institute of Technology
Safford School District

Motion seconded by Ms. Owen. *Motion passes.*

K. Presentation and Discussion of U.S. Department of Education's Recommendations Regarding Arizona's Highly Qualified Teachers' Attestation and Arizona's Highly Objective, Uniform, State Standard of Evaluation (HOUSSE) Rubric

Ms. Jan Amator, Deputy Associate Superintendent for Highly Qualified Professionals, Arizona Department of Education, presented background information per the materials provided in the packet.

She stated that they would like to make cosmetic changes that are not substantive, making it more user friendly and breaking it into separate documents for elementary, junior high, and special education teachers. Ms. Amator noted that the law does not specify a timeline for teachers to move to the HOUSSE rubric and federal monitors have suggested that we move the eligibility to use the HOUSSE to one year of teaching experience thereby giving more teachers the opportunity to use an alternative means to become highly qualified.

Dr. Nicodemus noted that small/rural districts have asked whether they can offer this program if they don't have someone who is highly qualified. She noted that some smaller districts has addressed the rigidity of the highly qualified requirements and what it means to some of the smaller districts that are having difficulty identifying those students. In addition, Dr. Nicodemus noted that sometimes it may be easier for a small district to get someone from outside the district who is highly qualified than it is for someone who may want to transfer within the district. She noted that the small districts are concerned that with highly qualified there could be some loss of instruction in some areas and that some instruction is better than none.

Ms. Erika Wesley, Title II Education Program Specialist, Highly Qualified Professionals, Arizona Department of Education clarified that the goal is not to have the requirements so teachers must have 24 credit hours, but that provisions are in place to allow a teacher to either

- take the test
- have an advanced degree
- have national board certification, OR
- have 24 credit hours

Ms. Wesley stated that if a teacher does not meet one of these four requirements they can use the HOUSSE rubric where a total of 100 points is required to become highly qualified.

Superintendent Horne noted that he doesn't think that the requirement for highly qualified teachers expects 100% compliance but that it is expected that there will be good faith compliance. He added that if a school/district has a teacher that is not highly qualified and one cannot be found to take that person's place the parents must be notified that the teacher is not highly qualified. He added that further explanations can be given to soften the impact of this information. Mr. Horne also asked that superintendents not fire a teacher for not meeting this requirement.

Ms. Wesley also pointed out that the law requires schools to set aside 5% of Title I moneys to assist teachers in meeting the highly qualified requirements. She added that there is flexibility for rural teachers under the Rural Education Achievement Program (REAP) and that the USDOE determines, based on demographics, etc., which teachers in those areas have extended time to meet the highly qualified requirements.

6. ADJOURN

Motion by Ms. Basha to adjourn. Seconded by Mr. Ary. *Motion passes. Meeting adjourned at 2:45PM.*